

COMMONWEALTH OF VIRGINIA



MONTGOMERY CIRCUIT COURT
Civil Division
55 EAST MAIN STREET, SUITE 1
CHRISTIANSBURG VA 24073
(540) 382-5760

Summons

To: LOWE'S HOME CENTERS, LLC
CORPORATION SERVICE COMPANY
REGISTERED AGENT
100 SHOCKOE SLIP, 2ND FLOOR
RICHMOND VA 23219

Case No. 121CL19001796-00

The party upon whom this summons and the attached complaint are served is hereby notified that unless within 21 days after such service, response is made by filing in the clerk's office of this court a pleading in writing, in proper legal form, the allegations and charges may be taken as admitted and the court may enter an order, judgment, or decree against such party either by default or after hearing evidence.

Appearance in person is not required by this summons.

Done in the name of the Commonwealth of Virginia on, Monday, August 31, 2020

Clerk of Court: ERICA W. CONNER

by


(CLERK/DEPUTY CLERK)

Instructions:

Hearing Official:

Attorney's name:

EXHIBIT

A

VIRGINIA: IN THE CIRCUIT COURT OF MONTGOMERY COUNTY
RECEIVED AND FILED

AVE MARIA HOLLAND,
Plaintiff

SEP 23 2019

v.

COMPLAINT Montgomery County Circuit Court
Erica W. Conner, Clerk

LOWE'S HOME CENTERS, LLC

Case No.: CU91079600

PLEASE SERVE:

REGISTERED AGENT:
Corporation Service Company
100 Shockoe Slip, Fl 2
Richmond, VA 23219-4100
Defendant

COMES NOW the Plaintiff, Ave Maria Holland, by counsel, and files this Complaint against the Defendant, Lowe's Home Centers, LLC, for the sum of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00), plus interest from October 8, 2017 and costs, on the following grounds and in the amount set forth below, to-wit:

1. That the Plaintiff, Ave Marie Holland, is an adult citizen of the Commonwealth of Virginia and a resident of Montgomery County.

2. That the Defendant, Lowe's Home Centers, LLC, is a retail company specializing in a home improvement and conducting business in the Commonwealth of Virginia, with the principal place of business headquartered in Wilkesboro, North Carolina.

3. That on October 8, 2017, the Plaintiff, Ave Maria Holland, was an invitee on the premises of Defendant, Lowe's Home Centers' Store No. 0447 in Montgomery County, Virginia, intending to purchase shelving brackets. While in the "bulk" isle at Lowe's Plaintiff bent over to look at bracket options for a purchase. Suddenly, a top shelf above her gave way under too much weight resulting in a fifty (50) pound box falling off of the shelf and hitting Plaintiff on top of her head and left shoulder. Ms. Holland immediately sought treatment at the emergency room. These injuries were severe and permanent.

DAVIS, DAVIS & DAVIS
ATTORNEYS
P. O. Box 3448
RADFORD, VA 24143

4. As a result of the failure of the Defendant, Lowe's Home Centers, LLC, to properly remedy the known defect of the upper shelving on which heavy boxes were stored, Plaintiff, Ave Maria Holland, sustained serious and severe injuries to her person, including, but not limited to a concussion, a separation of the left acromioclavicular joint with limited range of motion, cervicgia, severe headaches, left shoulder pain, neck pain, and pain in her left upper extremity, along with dizziness and vomiting and other serious and severe personal injuries. She was prescribed Naprosyn and Norco for pain and referred to an orthopedist.

5. As the owner and operator of the aforementioned store, a place of business to which the general public is invited, Defendant, its agents and employees had a duty to maintain the premises in a reasonably safe condition; to make reasonable inspections to determine whether any latent defects existed on the premises; and to warn the public of any such latent defects known to it, its agents and employees.

6. As a result of the Defendant's negligence and Plaintiff's subsequent injury, the Plaintiff has incurred substantial damages, including medical expenses and great physical pain and suffering, inconvenience, embarrassment and mental anguish, loss of well-being, her overall health, strength, and vitality has been greatly impaired, she has been permanently injured, disfigured and disabled and has been prevented and will in the future be hindered from attending to her affairs.

7. A trial by jury is demanded.

WHEREFORE, the Plaintiff, Ave Maria Holland moves this Court for judgment against the Defendant, Lowe' Home Center, LLC, in the sum of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00), plus interest from October 8, 2017, and costs and other related expenses for her personal injuries resulting from defendant's negligence.

Respectfully,

AVE MARIA HOLLAND

By 
Of Counsel

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